

Message Text

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SUBJECT: HUMAN RIGHTS COORDINATOR MEETINGS WITH FOREIGN
MINISTRY GROUP

FOR CHARGE CHAPLIN

1. SUMMARY: MRS. DERIAN MET WITH THE FOREIGN MINISTRY'S
WORKING GROUP ON THREE OCCASIONS, THE SECOND MEETING
BEING HELD AT THEIR REQUEST. THE FOREIGN MINISTER WAS
PRESENT AT THE BEGINNING OF THE FIRST SESSION AND AT THE
END OF THE THIRD, HOSTING THE LUNCH WHICH FOLLOWED IT.
THE THEME REITERATED BY THE GROUP WAS THEIR DESIRE THAT
MRS. DERIAN CLEARLY UNDERSTAND THE ARGENTINE SITUATION
AND THEY REPEATEDLY OFFERED TO DO ALL THEY COULD TO
CLARIFY MATTERS. MRS. DERIAN EXPRESSED HOPE WITH THE
SIGNS OF PROGRESS THEY DESCRIBED, WONDERED IF THIS ATTITUDE
WAS CLEARLY UNDERSTOOD AT ALL LEVELS OF THE
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GOVERNMENT, AND CAUTIONED THAT TIME WAS LIMITED AND THE
GOVERNMENT SHOULD DEMONSTRATE ITS STRENGTH TO THE
PEOPLE OF ARGENTINA AND THE WORLD NOW BY ACTING OPENLY
AND IN ACCORD WITH ITS TRADITIONAL LEGAL VALUES. END
SUMMARY.

2. I. FIRST WORKING GROUP MEETING, AUGUST 8. THIS
MEETING WAS PRECEDED BY A MEETING BETWEEN MRS. DERIAN
AND THE FOREIGN MINISTER, WITH A FEW OTHERS PRESENT.
MRS. DERIAN ASKED FOREIGN MINISTER MONTES: (1) HOW

HABEAS CORPUS PLEAS WERE PROCEEDING, (2) HOW MR. TIMMERMAN'S CASE WAS COMING, REFERRING TO HER CONCERN OVER HIS HEALTH, AND (3) WHAT PROGRESS WAS BEING MADE IN RE-INSTITUTING REGULAR PROCEEDURES FOR THOSE UNDER DETENTION. THE MINISTER RESPONDED BY SAYING HE WOULD LIKE TO PROVIDE MAXIMUM INFORMATION AND ASKED IF MRS. DERIAN WOULD LIKE TO SEE ANYONE IN PERSON IN ORDER TO HAVE A COMPLETE PICTURE OF THE SITUATION BECAUSE, IF SO, HE WOULD ARRANGE IT. MRS. DERIAN ASKED FOR TIME TO THINK OVER THE LATTER PROPOSAL.

3. MRS. DERIAN STRESSED THE U.S. DESIRE TO RETURN TO THE EXTRA GOOD FEELING WHICH HAD TYPIFIED GOOD RELATIONS BETWEEN OUR TWO COUNTRIES, NOTED THE SERIOUSNESS OF THE THREAT WHICH HAD FACED ARGENTINA, OBSERVED THAT THE GOVERNMENT HAS ESSENTIALLY BROKEN THE BACK OF THE SUBVERSIVES, ENCOURAGED A DEMONSTRATION OF STRENGTH AT THIS TIME BY RETURNING TO NORMAL LEGAL PROCEDURES, SUGGESTED PUBLISHING A LIST OF THE "DISAPPEARED" ABOUT WHOM THE GOVERNMENT HAD KNOWLEDGE AND CAUTIONED THAT THE PUBLIC SUPPORT GIVEN THE GOVERNMENT IN A TIME OF EMERGENCY WOULD NOT CONTINUE INDEFINITELY.

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4. THE FOREIGN MINISTER AGREED THAT SUBVERSION HAD BEEN DESTROYED, SAID THAT WHILE HE HAD NO CRYSTAL BALL THE SITUATION WOULD BE UNDER CONTROL IN A SHORT TIME, STRESSED THAT PROGRESS HAS BEEN MADE AND EXPRESSED THE DESIRE THAT RELATIONS STAY GOOD BETWEEN THE U.S. AND ARGENTINA AND THE SOUTHERN CONE COUNTRIES.

5. THE WORKING GROUP SESSION STARTED WITH THE FOREIGN MINISTRY GROUP DESCRIBING U.S./ARGENTINE DISCUSSIONS AS BEING CONSTRUCTIVE TO DATE. AS A DEMONSTRATION OF THEIR DESIRE TO PROVIDE MRS. DERIAN WITH ALL AVAILABLE INFORMATION, SHE WAS GIVEN A BOOK WHICH SHE WAS ASKED TO CONSIDER CONFIDENTIAL. IT WAS STRESSED THAT WHILE MUCH PROGRESS HAS BEEN MADE, PROBLEMS CONTINUE AND THE U.S. WAS ASKED TO BE PATIENT AND UNDERSTANDING. THE ARMED FORCES HAD NOT ONLY INHERITED A SITUATION OF SUBVERSION BUT ALSO ONE OF POLITICAL CHAOS. MRS. DERIAN SUGGESTED THAT IT MIGHT BE USEFUL TO SEND THEORISTS TO OTHER COUNTRIES TO STUDY POLITICAL ORGANIZATION AND OFFERED U.S. ASSISTANCE. THE RESPONSE WAS THAT PART OF ARGENTINA'S PROBLEM WAS THE TENDENCY TO OVER ANALYZE AND INCORPORATE FOREIGN IDEAS.

6. MRS. DERIAN SAID SHE HAD FORGOTTEN TO ASK THE FOREIGN MINISTER ABOUT THE RIGHT OF OPTION AND WONDERED IF THERE WERE PLANS TO RESTORE SOME ASPECTS OF IT. COL. SULLIVAN OF THE MINISTRY OF INTERIOR

RESPONDED THAT, WHILE NOT YET APPROVED, THE PROPOSAL FOR FULL RESTORATION WAS BEING STUDIED. HE ADDED THAT WHILE FORCES TO THE RIGHT AND LEFT ARE TRYING TO BLOCK PROGRESS, THE GOVERNMENT IS PROGRESSING AND HE SAID THAT THE BOOK GIVEN MRS. DERIAN DESCRIBES STEPS BEING TAKEN.

7. THE DISCUSSION THEN RETURNED TO THE BOOK WHICH WAS SAID TO ANSWER THE QUESTIONS WHICH ALWAYS ARISE IN DISCUSSIONS WITH THE USG, I.E., INFORMATION AND LISTS ON CONFIDENTIAL

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THE NUMBER AND NAMES OF DETAINED, A SHORT EXPLANATION OF THE POWERS AND CIRCUMSTANCES UNDER WHICH THE GOVERNMENT IS OPERATING, A LIST OF DISCIPLINARY ACTIONS TAKEN AGAINST THOSE ABUSING AUTHORITY (A SEPARATE LIST MARKED SECRET NAMING INDIVIDUALS SO DISCIPLINED WAS SHOWN BUT NOT GIVEN TO MRS. DERIAN), STATISTICS ON TERRORIST ACTS.

8. AT THIS POINT DISCUSSION WAS DIVERTED FROM THE BOOK WHILE THE FOREIGN MINISTRY REPRESENTATIVES LAMENTED THE FACT THAT TERRORIST ACTS DON'T RECEIVE THE SAME PUBLICITY WHICH GOVERNMENT ACTS DO. MRS. DERIAN AGREED, SAYING THIS IS SO BECAUSE PEOPLE EXPECT A STATE TO REACT IN A LEGAL WAY AND WHEN IT EMPLOYS METHODS USED BY TERRORISTS IT LOSES PUBLIC SYMPATHY. THE COUNTER RESPONSE WAS THAT, WHILE THE GOA DID NOT USE TERRORIST METHODS IT WAS FORCED TO RESORT TO EXTRAORDINARY MEASURES IN THE FIGHT AGAINST SUBVERSION, BUT THAT EXCESSES WERE PUNISHED. THEY SPECULATED ON HOW THE U.S. WOULD REACT IN A SIMILAR SITUATION AND CITED ACTIONS TAKEN RECENTLY IN RESPONSE TO THE AFTERMATH OF THE NEW YORK BLACKOUT. THEY WONDERED HOW WE WOULD REACT TO PUBLIC CRITICISM FROM THE GOA. MRS. DERIAN RESPONDED BY NOTING THAT NO ONE HAS REALLY STUDIED THE PROBLEM OF HOW TO REACT TO ALL OUT TERRORISM AND THAT THE INSTINCTIVE APPROACH SEEMS TO BE TO FIGHT FIRE WITH FIRE. SHE HOPED WE COULD LEARN FROM THE EXPERIENCES OF OUR NEIGHBORS AND NOTED THAT THE INTERESTING THING ABOUT THE NEW YORK INCIDENT WAS THE GREAT EFFORT WHICH WAS MADE TO USE NORMAL PROCEDURES. SHE NOTED THAT THE PROCESS WAS OPEN AND WIDELY PUBLICIZED. SHE ADMITTED THAT THE U.S. HAD MANY PROBLEMS AND DESCRIBED HER OWN PREVIOUS WORK IN THE FIELD OF CIVIL RIGHTS, AND NOTED THE MANY GROUPS, INSIDE CONFIDENTIAL

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AND OUTSIDE OF THE U.S. GOVERNMENT WHICH WORK FOR CIVIL LIBERTIES. SHE SAID THE U.S. WOULD HAVE ITS OWN WEAKNESSES OPEN TO PUBLIC VIEW AT THE BELGRADE CONFERENCE AND

WILL WORK TO CORRECT ITS FAULTS. SHE SAID THAT WHILE SHE INTENDED TO EXERCISE DISCRETION WITH REGARD TO PUBLIC STATEMENTS ON ARGENTINA THERE IS NO WAY WE COULD OR WOULD WISH TO GAG THE FREE PRESS.

9. THE GROUP AGREED WITH MRS. DERIAN AND POINTED TO SIGNS OF OPENESS IN ARGENTINE SOCIETY SUCH AS THE LEAGUE FOR HUMAN RIGHTS, THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, STATEMENTS BY POLITICAL PARTY REPRESENTATIVES, AND THE COMMUNIQUE OF THE BISHOPS. THEY SAID THE GOVERNMENT WAS OPEN TO STATEMENTS FROM RESPECTABLE GROUPS OF SUFFICIENT STANDING BUT THEY CRITICIZED MALINTENTIONED INFORMATION PUT OUT BY SUBVERSIVES AS PART OF AN INTERNATIONAL PRESS CAMPAIGN AGAINST THE GOA. THEY EXPRESSED CONCERN WITH WITNESSES HEARD BY THE FRASER SUBCOMMITTEE AND THE USG RECEPTION OF SOLARI IRRIGOYEN. THEY SAID THE GOA WELCOMES THE EXPRESSION OF DIFFERENT POINTS OF VIEW AND REFERRED TO GOVERNMENT OFFICES, SUCH AS ONE IN THE MINISTRY OF INTERIOR, OPEN TO RECEIVE COMPLAINTS AND ANSWER QUESTIONS FROM THE PUBLIC.

10. MRS. DERIAN ASKED WHAT THE GOVERNMENT HAD DONE TO PROTECT THE HEAD OF THE AMERICAN JEWISH COMMUNITY WHO WAS THREATENED BY RIGHT WING ANTI-SEMITIC GROUPS. THE RESPONSE WAS THAT THEY REGRETTED THAT THEY HADN'T BEEN INFORMED OF THE THREATS AND HAD COMMUNICATED WITH HIM SINCE AND WERE PROTECTING HIS OFFICE AND HOME AND ALLOWING THE AMERICAN JEWISH COMMUNITY TO RECOVER ITS RECORDS. THE DISCUSSION THEN TURNED TO THE GENERAL PROCESS FOR PROTECTING CITIZENS. MRS. DERIAN ASKED HOW LONG A PERSON WAS DETAINED BEFORE HIS NAME WAS MADE PUBLIC. THE RESPONSE WAS THAT A NEW ORDER HAS CONFIDENTIAL

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INSTRUCTED ALL SECURITY FORCES TO SUBMIT NAMES TO THE MINISTRY OF INTERIOR WITHIN 10 DAYS OF DETENTION AND THAT THE MINISTRY PUBLISHES THEM UPON RECEIPT. IF NAMES ARE NOT PROVIDED IN 10 DAYS THEN THERE IS NO GUILT AND THE SUSPECT IS FREED. A SOCIAL REHABILITATION PLAN FOR PRISONERS IDEOLOGICALLY OPPOSED TO THE GOVERNMENT WAS DESCRIBED AS A FURTHER INDICATION OF PROGRESS BEING MADE.

11. THE BOOK GIVEN MRS. DERIAN WAS SAID TO LIST ALL THOSE DETAINED WITH JUDICIAL PROCEEDURE AND ALL THOSE DETAINED AND CHARGED UNDER THE STATE OF SEIGE. IN ADDITION THE NAMES OF ALL THOSE TAKEN LATELY, WHETHER CHARGED OR UNCHARGED, WERE SAID TO BE PUBLISHED. IT WAS EXPLAINED THAT THE GOA, LIKE OTHER GOVERNMENTS, COULD NOT ACCOUNT FOR ALL PEOPLE WHO DISAPPEAR IN THE COURSE OF A YEAR AND ESTIMATED THAT LESS THAN 500 PEOPLE ARE BEING HELD BY EXECUTIVE POWER WITH A TOTAL OF

SOME 2029 BEING HELD UNDER SOME KIND OF PENALTY. IT WAS ALSO EXPLAINED THAT IT WAS LEGAL IN ARGENTINA TO HOLD SOMEONE INCOMMUNICADO FOR TEN DAYS. MRS. DERIAN EXPRESSED CONCERN FOR THE TREATMENT OF PRISONERS DURING THIS TIME PERIOD. THE RESPONSE WAS THAT TORTURE IS NOT USED AS A NORMAL WAY OF OBTAINING INFORMATION AND WHERE IT WAS KNOWN TO HAVE BEEN USED, SANCTIONS HAVE BEEN APPLIED. THE MINISTRY GROUP STRESSED THAT ARGENTINE PRISONS ARE OPEN TO THE INTERNATIONAL RED CROSS FOR INSPECTION AND THAT THERE ARE NO MILITARY DETENTION OR CONCENTRATION CAMPS.

12. RETURNING AGAIN TO THE BOOK PART II WAS DESCRIBED AS CONTAINING THE ARGENTINE POSITION IN THE OAS WITH REGARD TO THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. CONFIDENTIAL

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MRS. DERIAN ASKED IF THE COMMISSION WOULD BE COMING TO ARGENTINA. THE RESPONSE WAS NO BUT THAT THE GOA HAS AND WILL CONTINUE TO TALK TO THE IAHRG AND SEEKS WAYS TO MAKE THIS A SYSTEM OF INTERNATIONAL COOPERATION IN HUMAN RIGHTS AND NOT A METHOD OF IMPOSING SANCTIONS. IT WAS SUGGESTED WE TALK AT LENGTH ABOUT THIS IDEA SOMETIME.

13. MRS. DERIAN ENDED BY REFERRING TO A LETTER FROM THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE INQUIRING ABOUT FELLOW SCIENTISTS IN ARGENTINA AND SAID SHE HAD OTHER LETTERS OF INQUIRY WHICH SHE WOULD EITHER BRING THE NEXT TIME OR SUBMIT VIA THE EMBASSY.

14. II. SECOND WORKING GROUP MEETING, AUGUST 9. THIS MEETING SEEMS TO HAVE BEEN CALLED FOR THE PURPOSE OF SHOWING HOW FACTS CAN BE DISTORTED IN THE INTERNATIONAL PRESS. THE ATMOSPHERE WAS CONFRONTATIONAL. MRS. DERIAN WAS TOLD A LONG AND COMPLICATED STORY BY MINISTRY OFFICIAL ARLIA ABOUT THE RECENT DISAPPEARANCE OF A YOUNG SWISS NAMED ALEXIS JACAR. AT THE END OF THE STORY SHE WAS ASKED HOW THE GOA COULD REFUTE THIS INFORMATION. COMPLAINTS WERE ALSO REGISTERED ABOUT OTHER ATTACKS MADE ON THE GOA, SOME IN U.S., AND THE FACT THAT BILATERAL PUNITIVE MEASURES TAKEN AGAINST ARGENTINA LEAD TO CONFRONTATION AND HURT MUTUAL UNDERSTANDING.

15. MRS. DERIAN EXPLAINED THAT WE WERE TRYING VERY HARD TO UNDERSTAND THE ARGENTINE SITUATION BUT THAT THE GOA MUST ALSO UNDERSTAND THAT THE U.S. HAS LEARNED FROM ITS OWN DOMESTIC AND INTERNATIONAL EXPERIENCES THAT IT MUST PURSUE ITS SENSE OF VALUES IN ITS INTERNATIONAL RELATIONS. THIS DECISION HAS BEEN REINFORCED BY THE IDEOLOGICAL DEBATE WITH THE USSR IN WHICH WE HAVE FOR SO

MANY YEARS REMAINED SILENT IN THE FACE OF PUBLIC
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SOVIET STATEMENTS OF THEIR GOALS AND BELIEFS. SHE EXPLAINED THAT THE USG'S HUMAN RIGHTS POLICY HAS TWO GOALS (1) TO INCREASE THE OBSERVANCE OF HUMAN RIGHTS AROUND THE WORLD, AND (2) TO DISTANCE OURSELVES FROM REPRESSIVE GOVERNMENTS. SHE WARNED AGAINST GETTING INTO LEGALISTIC DISPUTES OVER INDIVIDUAL OCCURANCES IN A WAY WHICH DIVERGES FROM A DISCUSSION OF THE REAL ISSUES AND THE GENERAL GOALS OF OUR FUTURE RELATIONSHIPS. SHE STRESSED ARGENTINA'S STRUGGLE AND COUNSELED THAT NOW WAS THE TIME TO ACT IN AN OPEN AND POSITIVE WAY AND THAT THIS WOULD BE THE BEST POSSIBLE MEANS OF FENDING OFF CRITICISM.

16. THE DEPUTY FOREIGN MINISTER SAID HE UNDERSTOOD MRS. DERIAN'S MESSAGE AND THAT THE GOA SHARED IT. HE SAID THAT THEY HAVE FOUGHT, AND CONTINUE TO FIGHT ARMED AGRESSION, AND SUFFER FROM THE RESIDUAL OF IDEOLOGICAL AGRESSION AGAINST WHICH THEY HAVE NOT TAKEN STEPS. HE SAID THAT ARGENTINA IS NOT A REPRESSIVE COUNTRY; CITING ECONOMIC PROGRESS, HE SAID THAT THE PUBLIC HAS COLLABORATED WITH THE GOVERNMENT, AND HE SAID THAT VIOLENCE IS LIMITED TO A SMALL GROUP WHICH SYSTEMATICALLY VIOLATES THE LAW. MRS. DERIAN ASKED IF VIOLENCE WAS NOW COMING FROM THE RIGHT. MINISTRY OFFICIAL ARLIA ANSWERED NO, THAT IT IS STILL COMING FROM THE SAME LEFTISTS AS BEFORE.

17. III. THIRD WORKING GROUP MEETING, AUGUST 10.
MRS. DERIAN WAS ASKED TO EVALUATE WHAT SHE HAD LEARNED DURING HER VISIT. WHILE EXPLAINING THAT SHE HAD NOT YET HAD TIME TO REFLECT, MRS. DERIAN DESCRIBED THE FOLLOWING IMPRESSIONS TO THE GROUP. SHE SAID SHE WAS HEARTENED BY EARLY STEPS TOWARD (1) REINSTITUTING THE
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RIGHT OF OPTION, (2) PUBLISHING LISTS OF ALL THOSE DETAINED AND (3) GETTING THE JUDICIAL PROCESS GEARED UP SO THAT PEOPLE COULD EITHER BE CHARGED OR RELEASED. WHILE NOTING HOPEFUL SIGNS THAT SOME THINGS WERE BEGINNING TO HAPPEN WITH SOME REGULARITY, SHE SAID SHE WAS STILL CONCERNED WITH THE WIDE GAP WHICH SEEMS TO EXIST BETWEEN THEORY AND PRACTICE, E.G., THE TEN DAY INCOMMUNICADO LIMIT COULD BE EXTENDED, AND IN PRACTICE SEEMED INOPERATIONAL, AND THE HABEAS CORPUS PETITION SUBMITTED TO THE EXECUTIVE BY THE SUPREME COURT HASN'T BEEN ANSWERED YET. SHE SAID SHE FELT AT THE FIRST MEETING THAT THERE WAS MUCH DEFENSIVENESS AND THAT IT WAS HARD TO

TALK FRANKLY AND OPENLY. SHE NOTED THAT COMMUNICATIONS HAVE NOW IMPROVED. SHE SAID SHE HAD THE SENSATION THAT THERE WAS A LIMITED TIME PERIOD AVAILABLE. SHE SAID SHE WAS ASSURED THAT MANY OF THE THINGS WHICH HAPPENED EARLY IN THE GOVERNMENTS RULE WERE NOW VIEWED AS UNNECESSARY AND SOME AS UNWARRANTED AND THAT SINCE MARCH A MOVE TOWARD GREATER REGULARITY AND A DIFFERENCE IN ATTITUDE WAS PREVALENT. SHE SAID THAT PEOPLE WERE NOW WRESTLING WITH THE CONSEQUENCES OF THE PAST, E.G., WHAT TO DO WITH ALL THESE PRISONERS. HERE SHE NOTED DISTRESS FOR THE FAMILIES OF THE PRISONERS AND DESCRIBED SOME OF THE SAD STORIES WHICH FAMILY MEMBERS HAD TOLD HER. SHE SAID THAT A SHADOW HUNG OVER THIS AMICABLE GATHERING, AS IF ARGENTINA WAS A PLACE WHICH HELD A TERRIBLE SECRET. SHE WONDERED IF BELOW THE LEVEL ON WHICH THIS GROUP OPERATED, IF OFFICIALS AND ARMED SERVICES HAVE A CLEAR UNDERSTANDING OF WHAT THEY ARE SUPPOSED TO DO--THAT LOWER OFFICIALS SEEMED AFRAID TO GIVE OUT INFORMATION TO FAMILY MEMBERS AND AFRAID TO RAISE OFFICIAL OBJECTIONS TO ABUSES THEY FOUND. IN SUMMARY MRS. DERIAN SAID THAT HER FIRST IMPRESSION WAS WHILE SHE SAW GREAT HOPE AND POSSIBILITY ON THE ONE HAND, ON THE OTHER HAND SHE SAW MUCH SADNESS.

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18. DEPUTY MINISTER RESPONDED THAT MRS. DERIAN HAS HAD AN OPPORTUNITY TO GATHER MANY IMPRESSIONS IN HER SHORT STAY BUT THAT THE BREVITY OF HER STAY COULD NOT ENSURE THAT THEY ARE BALANCED. HE ASKED HER TO TAKE INTO ACCOUNT THE OPENESS AND COOPERATION OF THE GOA IN MAKING AN EVALUATION OF THE SITUATION. HE SAID THE HUMAN RIGHTS PROBLEM SHOULD BE LIMITED TO ITS PROPER DIMENSIONS AND NOT CONTAMINATE OTHER AREAS OF INTEREST IN OUR BILATERAL RELATIONS, I.E., THAT WHILE HE WAS NOT PRETENDING TO ISOLATE THE HUMAN RIGHTS PROBLEM HE ASKED THAT IT BE KEPT IN CONTEXT WHEN CONSIDERING OTHER PROBLEMS. HE STRESSED THAT ARGENTINA HAD BEEN ENGAGED IN A FIGHT IT HAD NOT CHOSEN AND THAT THE GOVERNMENT SOUGHT TO PRESERVE THE RIGHTS OF THE MAJORITY EVEN THOUGH THIS MEANT A FEW MUST SUFFER.

19. MRS. DERIAN EXPLAINED THAT THIS IS WHERE WE HAD OUR GREATEST DIFFERENCES. THAT TERRORISTS WERE TRYING TO DO AWAY WITH THE WAY OF LIFE AND DEMOCRATIC PROCEDURES OF GOVERNMENT AND TO FIGHT THEM WITH THEIR OWN TACTICS WAS TO LOSE THE WAR.

20. ACTION REQUESTED: PLEASE ADD COMMENTS AND DESIRED DISTRIBUTION. VANCE

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